



PATENT APPLICATION
CH-7929
LeA 36,206

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN APPLICATION OF)
FRANK BERENDES ET AL)
SERIAL NO.: 10/669,424)
FILED: SEPTEMBER 24, 2003)
TITLE: PROCESS FOR PREPARING)
3-HETEROARYL-3-HYDROXY-)
PROPANOIC ACID DERIVATIVES)

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(b)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This disclosure statement under 37 CFR 1.97 & 1.98 is submitted before the first Office Action in order that the Patent and Trademark Office may consider the relevancy of certain information to the invention described and claimed in the subject application, and in compliance with the regulations concerning information disclosure statements. Enclosed are copies of the following:

a) the Search Report received in the corresponding application pending in the European Patent Office ; and an English language translation thereof; and

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an enveloped addressed to: Commissioner for Patents, Alexandria, VA 22313-1450

8/12/04

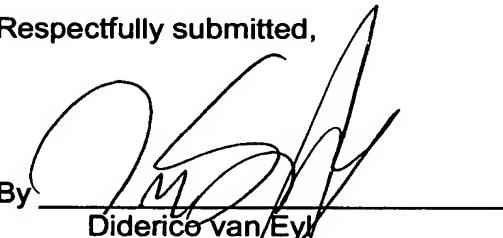
Date
Diderico van Eyl Reg. No. 38,641
Name of applicant, assignee or Registered Representative

Signature
August 12, 2004
Date

b) the documents cited by the European Patent Office in the Search Report (except the documents previously submitted) listed on the attached Form PTO-1449; or a corresponding English language Abstract listed on the attached Form PTO 1449.

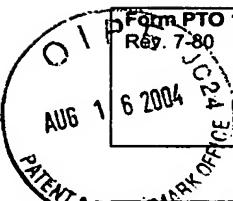
This Information Disclosure Statement should not be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, that any reference mentioned herein constitutes prior art, or that the references listed, severally or in any combination with one another or with any other information, are believed to render any claim in the subject application *prima facie* unpatentable.

Respectfully submitted,

By 
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| Form PTO 1449 Rev. 7-80 | U.S. Department of Commerce Patent and Trademark Office | Atty. Docket No. CH-7929/LeA 36,206 | Serial No. 10/669,424 |
| LIST OF PRIOR ART CITED BY APPLICANT (Use Several Sheets If Necessary) | | Applicant Frank Berendes et al | |
| | | Filing Date September 24, 2003 | Group |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
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FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
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| | | | | | | | Yes | No* |
| | AL | 03 078418 | 09/25/03 | World (Abstract Attached) | | | | |
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OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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| AR | FOGAGNOLO M ET AL: "Homochiral (R)- and (S)-1-heteroaryl- and 1-aryl-2-propanols via microbial redox" TETRAHEDRON ASYMMETRY, ELSEVIER SCIENCE PUBLISHERS, AMSTERDAM, NL, Bd. 9, Nr. 13, 3. Juli 1998 (1998-07-03), Seiten 2317-2327, XP004131378 ISSN: 0957-4166 *Tabelle 2* | |
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| AT | QUIROS M ET AL: "Enantioselective reduction of beta-keto amides by the fungus Mortierella isabellina" TETRAHEDRON: ASYMMETRY, ELSEVIER SCIENCE PUBLISHERS, AMSTERDAM, NL, Bd. 8, Nr. 18, 25. September 1997 (1997-09-25), Seiten 3035-3038, XP004090508 ISSN: 0957-4166 *Zusammenfassung* Tabelle 1, Produkt 2a-c | |
| | | |

EXAMINER

DATE CONSIDERED

EXAMINER Initial if references considered, whether or not citation is in conformance with MPEP 609: Draw line through if not in conformance and not considered. Include copy of this form with next communication to applicant.

* Neither English Language Equivalent nor an English Language Translation is available.